

1 ROBERT J. BERG (Admitted *pro hac vice*)
2 LAW OFFICE OF ROBERT J. BERG PLLC
3 19 Carriage House Lane
4 Mamaroneck, New York 10543
5 Telephone: (914) 522-9455
6 Email: robertbergesq@aol.com

7 JULIAN GRESSER, State Bar No. 50656
8 P.O. Box 30397
9 Santa Barbara, CA 93130
10 Telephone: (805) 708-1864
11 Email: juliangresser77@gmail.com

12 GREGG R. LIEN, State Bar No. 69620
13 P.O. Box 7742
14 Tahoe City, CA 96145
15 Telephone: (916) 583-8542
16 Email: lakelaw@sierratahoe.net

17 Attorneys for Plaintiffs
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

MONICA EISENSTECKEN, et al.,

Plaintiffs,

vs.

TAHOE REGIONAL PLANNING AGENCY,
et al.,

Defendants.

Case No. 2:20-cv-02349-DJC-CKD

**STIPULATION REGARDING
EXTENSION OF TIME TO FILE
AND RESPOND TO PLAINTIFFS'
FOURTH AMENDED COMPLAINT**

Filed: June 12, 2025

Trial Date: None Set

Plaintiffs Monica Eisenstecken, Tahoe Stewards LLC, Tahoe for Safer Tech, Environmental Health Trust, and David Benedict (collectively, "Plaintiffs"), and Defendants Tahoe Regional Planning Agency ("TRPA"), Joanne Marchetta, in her official and individual capacities, Marsha Berkbigler, in her official and individual capacities, Sue Novasel, in her official and individual capacities, and Sacramento Valley Limited Partnership, d/b/a Verizon Wireless ("Verizon"), Gilliam Nel (collectively, "Defendants"), hereby stipulate as follows:

1. On May 28, 2025, the Court entered an Order, signed May 27, 2025, granting the City of South Lake Tahoe's motion to dismiss; TRPA's motion to dismiss, and Verizon's motion to dismiss (ECF No. 99). The Court granted Plaintiffs leave to file an amended complaint only as to the First, Second, Third, Fourth, Sixth, Seventh, and Eighth Causes of Action, and directed that if Plaintiffs elect to file an amended complaint, they must do so within twenty days of the Court's Order, entered on May 28, 2025.

2. Plaintiffs have informed Defendants that they intend to file a Fourth Amended

Complaint pursuant to the Court's Order.

3. Plaintiffs represent that due to health issues affecting two of plaintiffs' counsel and scheduling issues affecting a third plaintiffs' counsel, Plaintiffs request an extension of time until August 1, 2025 to file their Fourth Amended Complaint.

4. Plaintiffs' counsel have spoken with counsel for the TRPA and the individual defendants related thereto about the extension, and counsel for TRPA has consented to the requested extension.

5. Plaintiffs' counsel have communicated with counsel for Verizon and Nel, even though the Court has dismissed Verizon and Nel from the litigation. Verizon and Nel do not oppose the requested extension.

WHEREFORE, the parties stipulate that:

A. Plaintiffs are hereby granted leave to file the proposed Fourth Amended Complaint on or before August 1, 2025.

B. Defendants shall file their response(s) to the Fourth Amended Complaint on or before September 12, 2025.

Dated: June 12, 2025

LAW OFFICE OF JULIAN GRESSER

/s/ Julian Gresser

JULIAN GRESSER

Attorney for Plaintiffs

MONICA EISENSTECKEN, TAHOE
STEWARDS, LLC, TAHOE FOR SAFER TECH,
DAVID BENEDICT,
and ENVIRONMENTAL HEALTH TRUST

GREGG R. LIEN

/s/ Gregg R. Lien

Attorney for Plaintiffs

MONICA EISENSTECKEN, TAHOE
STEWARDS, LLC, TAHOE FOR SAFER TECH,
DAVID BENEDICT,
and ENVIRONMENTAL HEALTH TRUST

LAW OFFICE OF ROBERT J. BERG PLLC

/s/ Robert J. Berg

Attorney for Plaintiffs

MONICA EISENSTECKEN, TAHOE
STEWARDS, LLC, TAHOE FOR SAFER TECH,
DAVID BENEDICT,
and ENVIRONMENTAL HEALTH TRUST

MACKENZIE & ALBRITTON LLP

/s/ Melanie Sengupta

MELANIE SENGUPTA

Attorneys for Defendants

SACRAMENTO VALLEY LIMITED
PARTNERSHIP, d/b/a VERIZON WIRELESS
and GUILLIAM NEL

LEONARD LAW, PC

/s/ Debbie A. Leonard

Debbie A. Leonard

Attorneys for TRPA Defendants

SO ORDERED:

Dated: June 13, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE